

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA, DAMAN AND DIU

### EXTRAORDINARY

#### GOVERNMENT OF GOA, DAMAN AND DIU

##### Home Department 'A'

###### Notification

HD-25-62/71-A

The draft of the agreement which the Government of Goa, Daman and Diu proposes to enter into with the Government of Maharashtra in regard to opening of stage carriage services and grant of permits for private carriers, contract carriages and public carriers, to be operated on the inter-State routes between the two States, is hereby published as required by sub-section (3A) of Section 63 of the Motor Vehicles Act 1939 (Central Act 4 of 1939) for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken up for consideration by the Government of Goa, Daman and Diu on 4th November, 1971.

Any presentations which may be received from any person, stipulated in proviso under Section 63(3A) of the Act in connection with the said draft agreement within a period of thirty days from the date of publication of this Notification in Official Gazette, will be considered by the Government of Goa, Daman and Diu. Representations may be addressed to the Chief Secretary to the Government of Goa, Daman and Diu in Home Department, Secretariat, Panaji. The representations received will be considered by the Chief Secretary to the Government of Goa, Daman and Diu, Home Department, in his chamber at the Secretariat, Panaji at 3 p.m. on November 4, 1971.

#### Reciprocal transport agreement between the Government of Maharashtra and Goa Administration

This agreement entered into on this day the ... September one thousand nine hundred seventy one between the President of India (hereinafter called the Government of Goa, Daman and Diu) of the one part and the Governor of Maharashtra (hereinafter called the Government of Maharashtra) of the other part.

Whereas discussions were held between the representatives of the Government of Maharashtra and the Government of Goa, Daman and Diu on 27th and 28th August, 1971 at Panaji with regard to the operation of Motor Vehicles on inter-state routes between the two States, it is hereby agreed by the Government of Maharashtra and the Government of Goa, Daman and Diu as follows:—

##### 1. Stage Carriages:

(a) Inter-State routes for stage carriages shall mean the routes connecting the main nearest traffic points on either side of the border, penetration by passenger transport of either State into the other State being restricted upto the aforesaid traffic point unless otherwise mutually agreed upon in any particular case or cases.

(b) Inter-State routes for operation of stage carriages as agreed upon shall be as shown in Appendix I.

(c) The fares and freight charged by the operators in the reciprocating States will not be less than those charged by any operator of that State for similar services.

(d) Any extension of a portion of an Inter-State route lying exclusively in one State may be made by the Transport Authority of that State in respect of services run by the operators

of that State without prior consultation with the Transport Authority of the other State.

(e) The operators of the reciprocating States operating on Inter-State routes shall not halt to pick up or set down passengers within any two points on Inter-State routes lying in the area of the reciprocating States except as mentioned in Appendix I against specified routes.

(f) Schedules and timings of stage carriages to be plying on Inter-State routes shall be fixed by the Transport Authorities of the two States by mutual consultation.

(g) No temporary permit shall be issued or countersigned by the transport Authorities of the reciprocating States for the operation of stage carriages on routes specified in Appendix I, except that temporary stage carriage permits shall be issued and countersigned upto a maximum of 16 return trips per day (1) during April-June every year and (2) during festivals viz. Ganesh Chaturthi, Diwali and Christmas for a period of 15 days for each festival, to be operated by the nominees of Maharashtra and Goa in the proportion of 16:6. The number of temporary permits so issued and countersigned may be increased upto 20 by mutual consultation between the Transport Authorities of the two States subject however, that the distribution of such additional trips between the nominees of the two States shall be in such manner as the transport Authorities of the two States may decide.

##### II. A: Contract carriage Permits (Buses):

(a) Contract carriage permits (buses) of the nominees of either State shall be countersigned upto a limit of two vehicles for any area of the other State subject to the condition that the contract carriage (bus) shall be hired by a single party.

(b) Temporary permits upto twenty single return trips per month may be issued by the Transport Authorities of each of the two States without countersignature, subject to the condition that the contract carriage (bus) shall be hired by a single party. The dates of journey and the route shall be specified in the permit.

##### II-B Contract Carriage Vehicles (Taxi Cabs):

Contract carriage permits (taxi cabs) of the operators of either of the State shall be countersigned upto a limit of ten vehicles for any area of either State subject to the following conditions:

(a) the contract carriage vehicles (taxi cabs) shall be hired by a single party and shall be used for the return journey by the same party terminating in the area of the home State.

(b) the contract carriage vehicle (taxi cab) shall not have a seating capacity exceeding 6 persons including the driver.

(c) temporary permits may be issued upto a limit of five taxi cabs per month by the Transport Authorities of each of the two States without countersignature for a single return trip by a single party on dates and on a route specified in the permit.

##### III. Public Carriers:

###### A) Countersigned permits:

(a) The quota of public carrier's permits of each State to be countersigned by the other in accordance with the proviso to section 63(5) of the M. V. Act shall be 400.

(b) The countersignatures shall be granted for plying the vehicles on all National and State Highways with a deviation upto 30 kilometres except on prohibited routes.

(c) The vehicles shall not pick up any goods in the countersigning State for setting down the same at any place enroute in that State and thus indulge in inter-State traffic.

#### (B) Temporary permits:

(a) There shall be no limit to the number of temporary permits. Temporary permits may be granted for a period not exceeding 30 days at a time by the Transport Authority of the home State without the concurrence of the Transport Authority of the reciprocating State. These permits may be granted for plying the vehicles on all National and State Highways with a deviation upto 30 kilometres in the reciprocating State except on the prohibited routes of that State. For this purpose, both the States will exchange lists of prohibited routes in each State from time to time.

(b) In the case of temporary permits issued by the competent authority in either State for a period not exceeding 30 days, irrespective of whether that period falls in one calendar month or two consecutive calendar months, the taxes due shall be charged for one month only by the Govt. of Maharashtra and for 30 days only by the Goa Administration.

(c) Temporary permits shall be granted by the home State Transport Authority subject to payment of taxes due to the reciprocating State. The permit issuing officers of the home State shall issue temporary permits only on receipt of demand drafts drawn in favour of the Secretary State Transport Authority, Goa, or the Director of Transport Bombay, as the case may be, for the amount of tax payable to the other State.

(d) The Transport Authority of the Home State shall send a statement of temporary permits issued, with demand drafts towards the tax paid to the State Transport Authority of the other State, once a month for necessary verification. Particulars of demand drafts shall also be noted in the temporary permits to which they relate.

#### IV. Private Carriers:

The quota of private carrier's permits of such State to be countersigned by the other shall be 30. The home States Transport Authority shall satisfy itself about the bonafides of the business of the applicants in the other State, before recommending their applications for grant of countersignature for the area or routes applied for.

#### General:

1. Where a provision has been made in this agreement for the grant of countersignature on permits of the operators of the reciprocating States, the State Govts. shall arrange with the Transport Authorities concerned for the grant of such countersignature to such operators as may be nominated by the reciprocating State and no other operators.

2. All vehicles plying on regular or temporary permits duly countersigned by the Transport Authority of the reciprocating State shall be exempted from the payment of taxes leviable under the M. V. Tax Act concerned in the reciprocating State. For the removal of any doubt it is hereby made clear that vehicles plying on temporary permits without such countersignature shall not be exempted from the payment of the motor vehicles tax in the reciprocating State. Any M. V. Tax leviable in the reciprocating States shall be paid by the operator in advance of the issue of the permit valid for that State.

3. The reciprocating States shall accord recognition to the tax-tokens, conductors licences, public service authorisations, certificates of registration and fitness etc. of the other State.

4. The agreement shall be valid for a period of three years from the date of ratification and shall be reviewed annually for any revision of the terms if necessary.

5. Every permit granted as per agreement should incorporate the following conditions:—

«The permit is issued strictly in terms of inter-State agreement between the Govt. of Goa Administration and the Govt. of Maharashtra. If the permit holder or his agent or his driver uses the vehicle in a manner not authorised by the permit such use will be deemed to be without any valid permit and the Transport Authority which detects such an use is free to take such action against the user or the permit holder as is possible under the law, in addition to such action as his home Transport Authority can take».

In Witness where of the parties hereto have set their hands to this agreement on the day aforesaid.

Witnesses Signed, sealed and delivered by the Chief Secretary, Home Department, Govt. of Goa, Daman and Diu for and behalf of the President of India.

Witnesses Signed, sealed and delivered by Secretary to the Government of Maharashtra, Home Department for and behalf of the Governor of Maharashtra.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

M. K. Bhandari, Under Secretary (Home).

Panaji, 1st October, 1971.

## APPENDIX I

### Part A

Sr. No.	Name of the routes	No. of trips	Trips to be operated by	
			Maharashtra	Goa
1.	Sawantwadi-Panaji via Dodamarg ... ..	12	6	6
2.	Sawantwadi to Valpoi via Dodamarg & Asnora ...	5	2	3
3.	Sambhaji to Sawantwadi via Margao, Ponda, Sanqueli	2	—	2
4.	Panaji-Tilari via Dodamarg	1	—	1
5.	Sawantwadi-Ponda via Mangeshi ... ..	1	1	—
6.	Sawantwadi-Morji via Pednem, Patradevi ... ..	1	1	—
7.	Margao to Sal via Dodamarg	1	—	1

Note:—Picking up and setting down of passengers on the above routes is allowed at any place on the routes.

### Part B

Sr. No.	Name of the routes	No. of trips	Trips to be operated by	
			Maharashtra	Goa
1.	Bombay-Panaji via Mahad, Chiplun, Hatkhamba, Rajapur, Kankawali, Sawantwadi, Mapusa ... ..	4	3	1
2.	Bombay-Margao via Mahad, Chiplun, Hatkhamba, Dodamarg, Sanqueli, Ponda	2	—	2
3.	Panaji-Poona via Dodamarg, Kankawali, Pondaghat, Kolhapur ... ..	2	1	1

Note:—In case of the above routes the nominees of either states are allowed to set down only the passengers in the areas of the reciprocating states at the following stages:

Stages for Goa operators on journey towards Bombay only. Panaji-Bombay and Margao-Bombay routes—Kankawali, Chiplun, Mahad, Thana.

For Maharashtra operators towards Panaji only—Asnora, Mapusa, Betim.

Stages for Goa operators on Panaji-Poona route:—Kankawali, Kolhapur, Satara on journey towards Poona.

Stages for Maharashtra operators on Panaji-Poona route:—Asnora, Mapusa, Betim on journey towards Panaji.

### Part C

Sr. No.	Name of the routes	No. of trips	Trips to be operated by	
			Maharashtra	Goa
1.	Bombay to Sadashivgad via Mahad, Chiplun, Hatkhamba, Dodamarg, Sanqueli, Ponda, Kawale, Margao, Polem ... ..	1	1	—

Note:—On the above routes the Maharashtra nominees are allowed to set down or pick up the passengers on the following stages: Sanqueli, Ponda, Kawale, Margao, Kankawali, Polem.